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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

BERNARDO TOPETE-ANGEL,

Defendant.

CASE NO. 1:23-MJ-00105-EPG

STIPULATION TO CONTINUE PRELIMINARY
HEARING AND EXCLUDE TIME

The parties stipulate as follows:

1. The complaint was issued in this district on August 24, 2023, and the defendant made his initial appearance the next day. The Court scheduled a preliminary hearing for September 8, 2023.
2. The government has produced initial discovery to Mr. Topete-Angel's counsel.
3. The parties now agree to continue the preliminary hearing until October 6, 2023. The parties agree that good cause exists for the extension because the extension is required to allow the defense reasonable time to review the discovery for preparation. The parties also agree that the interests of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial.

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1 Finally, the parties agree that the period from August 30, 2023, through October 6, 2023, should be
2 excluded. Fed. R. Crim. P. 5.1(d); 18 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(iv).

3 IT IS SO STIPULATED.

4 Dated: August 29, 2023

PHILLIP A. TALBERT
United States Attorney

6
7 /s/ Joseph Barton

Joseph Barton
Assistant United States Attorney

9 Dated: August 29, 2023

/s/ Laura Myers

Laura Myers
Counsel for Bernardo Topete-Angel

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CASE NO. 1:23-MJ-00105-EPG
STIPULATION TO CONTINUE PRELIMINARY
HEARING AND EXCLUDE TIME

The Court has read and considered the parties' stipulation to continue the preliminary hearing and exclude time. The Court finds there is good cause for the continuance so as to allow the defense reasonable time for preparation. The Court also finds that the interests of justice served by granting the continuance outweigh the interests of the public and the defendant in a speedy trial. Fed. R. Crim. P. 5.1(d); 18 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(iv).

Therefore, for good cause shown:

1. The preliminary hearing is continued from September 8, 2023, until October 6, 2023, at 2:00 p.m., and the defendant shall appear at that time before the Magistrate Judge on duty; and

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2. The period from August 30, 2023, through October 6, 2023, shall be excluded.

IT IS SO ORDERED.

Dated: 8/30/2023

Sheila K. Oberto

Honorable Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE